

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES <i>vs.</i> HAROLD W. BROOKS	<i>For U. S.:</i> Nathan G. Graham <i>For Defendant:</i> Mr. R. H. Hall (Ret.) 2800 N. W. 1st St. Miami, Okla. Ray Wilburn (Ret.) Beacon Bldg. Tulsa 74103

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 5-31-72	Clerk	5-9-72	Brooks	500 00	
J.S. 3 mailed 10-30-72	Marshal				
Violation Fraud & False Statements	Docket fee				
Title 18					
Sec. 1001					
(6 Counts)					

DATE	PROCEEDINGS
5-3-72	Indictment, filed in open court. hm
5-3-72	Record vote of the grand jury, filed in open court. hm
5-9-72	Defendant appears in person and with no counsel. Ray Wilburn is asked by Court to stand in as Deft.'s counsel, Wilburn agrees. Govt. is rep. by Jack Short. Deft. acknowledges receipt of Indictment and waives the reading of it. Deft. is advised of charge, is Arraigned and enters a plea of NOT GUILTY, as to Counts 1, 2, 3, 4, 5, and 6. Deft. is given 10 days to file motions. Case is set on May 22, 1972, Jury Docket at 9:30 A.M. Deft. is allowed to make 10% bond having the following conditions: travel restricted to N.D. of Okla., Santa Rosa and Albuquerque, New Mexico; Deft. is to advise clerk's office before leaving this district. (AEB-J)v
5-9-72	Motion for Dismissal of Indictment, etc., filed by the Deft. in open Court. v. orig. to Judge
5-15-72	Appl. of def. for continuance to next jury docket, filed. rm. and to J.
5-9-72	Appearance bond of the deft. in the amt. of \$5,000 (10% Cash), filed. hm
5-9-72	Order specifying methods & conditions of release, filed. hm

over

DATE	PROCEEDINGS
5-19-72	Ordered by the Court that this case be stricken from the Jury Docket of May 22, 1972, and continued, to be set at a later date. (At the request of the Deft.) (AEB-J)v
7-14-72	Case set for jury trial 8-21-72 at 9:30 a.m. (AEB-J)hm
7-27-72	Response to Deft.'s Motion filed July 24, 1972, filed by the Pltf. v <i>Copy to Dene.</i>
8-9-72	Application of def. to withdraw mo. to dismiss, filed. rm - Order to J.
8-9-72	Def. not present and rep. by Ray Wilburn, ret counsel. Appl. of def. to withdraw motion to dismiss granted, and order withdrawing motion signed and filed in open court. Ct. directs atty for def. to have def. prepare affidavit or letter confirming withdrawal. Hearing stricken. (AEB-J) <i>Copy to Dene.</i>
8-11-72	Appl. of def. for continuance and striking case from jury docket, filed. rm <i>Copy to Dene.</i>
8-14-72	Response of USA to appl. of def. for continuance, filed. rm - copy to Dene
8-21-72	Case called for jury trial. Parties present and represented. Defendant's application for continuance is granted and case passed to next jury docket. (AEB-J)
8-21-72	Order sustaining defendant's appl. for continuance filed. (AEB-J)h
9-11-72	Case set for jury trial on Monday, Sept. 25, 1972 at 10:00 A.M (AEB-J)h
9-14-72	Govt's application for continuance, filed. hm <i>Copy to Dene.</i>
9-18-72	It is ordered that the court finds that this cause was filed May 3, 1972, over 4 months ago. Two previous continuances have been granted the def. on May 17, and Aug 11. The jury docket commencing Sept. 25, 1972 is a trailing docket; and, therefore, on the grounds here asserted there is no need to strike the cause. Rather, the application for continuance is sustained in that this case be placed last on Sept. 25, 1972 docket, and it will proceed to trial. In all other particulars the application is overruled. (AEB-J)h <i>Pls. try to notify.</i>
9-25-72	Case called for jury trial. Parties present and announce ready. Case passed on trailing docket. (AEB-J)h
9-25-72	Marshal's return on four (4) subpoenas to testify, filed. rm
9-27-72	Case called for jury trial. Jury empaneled, and case in trial, and it is ordered that this case passed and to continue on Tues. Oct. 3, 1972. at 10am.
9-28-72	5 subpoenae, ret. & filed, one not served by request. g (AEB-J)h
9-29-72	Entry of appearance of Lawrence A. McSoud as counsel for def., filed. rm
10-3-72	Motion to dismiss indictment w/brief, filed. rm - copy to Dene <i>Copy to parties</i>
10-2-72	Case stricken from docket of Oct 3, 1972, and jury dismissed. (AEB-J)h
10-5-72	It is ordered that the jury duly impaneled in this cause is hereby dismissed from further service and the cause is ordered stricken from this jury docket on the understanding of the Court that a motion to dismiss is to be filed by the defendant. (Allen E. Barrow-Judge)h <i>as per m.c.</i>
10-5-72	Marshal's return on two (2) subpoenas to testify, filed. rm (USM \$28.48)
10-5-72	Response to defendant's motion to dismiss, filed. ds
10-10-72	Hearing on Def's motion to dismiss passed to Wednesday, 10-11-72 at 10:00am (AEB-J)h
10-11-72	Return of subpoenas to testify. Served Bonnie B. Singleton on 8-17-72 at Picher, Oklahoma; on 8-18-72 at Welch, Oklahoma, service on Dora P. Henle, Esther V. McBrien, Joe Blackburn, Clara Blackburn, Mace Brown, Gertrude Corn,

(CONTINUE)

D. C. 109A
CRIMINAL DOCKET

DATE	PROCEEDINGS
	Sylvia Burris; on 8-18-72 at Chetopa, Kansas, service was made on Blanche B. Wells, Jim Rupert, Pearl Rupert, Loren McAffrey, Florence McAffrey; On 8-19-72 at Welch, Oklahoma, service was made on Maxine Burnside; On 9-23-72 at Tulsa, Oklahoma, service was made on Blanche B. Wells, Mace Brown, Gertrude Corn, Maxine Burnside by serving mother, Clara Blackburn, Joe Blackburn by serving wife, Esther V. McBrien, Margueritte Walker; On 9-24-72 at Tulsa, Oklahoma, service was made on Pearl Rupert, Jim Rupert Sylvia Burris, Dora P. Henle by serving daugherty, Loren McAffrey, and Florence McAffrey. Filed. r
10-11-72	Order filed, that bond be exonerated and the sum to be disbursed to the deft. Harold W. Brooks, filed. (AEB-J)r (Copies mailed)
10-11-72	Defendant present in person and rep. by Ray Wilburn, retained counsel, and Larry McSoud, ret. counsel. The govt. rep. by Nathan Graham. Court grants defendant's motion to dismiss, and case is dismiss, bond exonerated and defendant released. Ray Wilburn to prepare proper order dismissing. (AEB-J)h
10-24-72	Order of dismissal, filed and entered. (AEB-J)rm - copies mailed
7-30-73	Motion to court for an order to expunge, filed. (with brief)hm <i>expunged</i>
9-11-73	Ordered by the Court that the U.S. Atty. is granted 10 days from this date within which to respond to the Deft.'s Mot. for Records and fingerprints to be expunged. (AEB-J)v -ltrs mld.
9-13-73	Response and Brief in Opposition to Mtn. to Expunge, filed. jj
3-27-74	Order overruling deft's motion to expunge criminal records, filed. (AEB-J)g cpies to deft. & U.S. Atty.
3-27-74	

DATE	PROCEEDINGS

DATE

Certified to be a correct transcript of Docket Entries.

Dated May 9, 19 72

[Signature]
United States Magistrate